

**MINUTES OF THE BOARD
OF
AUDIOLOGY AND SPEECH LANGUAGE PATHOLOGY**

June 13, 2006

CALL TO ORDER

Jody Spalding, Chairperson, called the meeting of the Board of Audiology and Speech Language Pathology to order at 4:09 p.m., Tuesday, June 13, 2006, in conference room 5 - B, Nebraska State Office Building, Lincoln, Nebraska. The meeting was duly publicized by distribution of the notice of Meeting and Agenda ten (10) days prior to the meeting and posting the agenda at the entrance of Health and Human Services at least twenty-four (24) hours prior to the meeting.

Roll Call

The following Board Members and staff were present at the meeting:

Jody Spalding, Chairperson
Kathryn Beauchaine, Secretary
Kenya Taylor, Professional Member
Ron Busch, Public Member

Diane Hansmeyer, Section Administrator
Patty Pierson, Credentialing Coordinator
Susan Strong, Assistant Attorney General
Mike Grutsch, Program Manager, Investigations
Loretta Bennett, Investigations
George Pflager, Investigations

Absent: Jane Stokebrand, Vice-Chair

Adoption of the Agenda

Taylor moved, seconded by Busch, to adopt the agenda. Voting aye: Spalding, Taylor, Beauchaine, and Busch. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

Approval of Minutes

Beauchaine moved, seconded by Taylor, to approve the board minutes for January 10, 2006 and April 13, 2006. Voting aye: Taylor, Beauchaine, Busch, and Spalding. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

INVESTIGATIONAL PROCESS REVIEW (Attachment A)

Grutsch introduced a schematic of how Investigations is currently handling investigations. Members of the Investigations department review the case before it goes to either the Assistant Attorney General or the entire board. They look at the cases to see if there is an obvious violation, which can be investigated. Then they send a letter and a copy of the complaint to the respondent and give them an opportunity to respond. If additional records are needed investigations will subpoena those records, then send the complete packet of information to the designated board representative who reviews cases. The person offers his or her professional

advice regarding the issues and says whether they believe the case should be reviewed or closed and if it should be reviewed, what issues need to be examined. A priority case where there is the threat of imminent harm is investigated right away. All completed cases go to the board, then to the Attorney General's Office. With the new process, approximately 40% of the cases will be investigated, currently that percentage is 60%.

INVESTIGATIONAL REPORT(S); JURISPRUDENCE EXAMINATION (Closed Session)

Busch moved, seconded by Beauchaine, to go into closed session at 4:23 p.m. for the purpose of discussing investigational reports and to protect the reputation of individuals and for a review of the Audiology and Speech Language Pathology Jurisprudence Exam questions. Voting aye: Beauchaine, Busch, Spalding and Taylor. Voting nay: None. Absent and not voting: Stokebrand. Motion carried. Board Chair, Spalding stated that the board would now go to closed session to discuss investigational reports and to protect the reputation of individuals and to review the Jurisprudence Examination.

After the Investigational Reports, Strong asked if her input was needed during the discussion of the Jurisprudence Examination. After it was determined it was not needed, she requested that any agenda items that might require her input be discussed at this time, because she needed to leave the meeting early. Hansmeyer said one out-of- closed session item might require Strong's input.

Out of Closed Session

Beauchaine moved, seconded by Busch, to come out of closed session at 5:21 p.m. Voting aye: Busch, Spalding, Taylor, and Beauchaine. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

Grutsch, Bennett, and Pflager left the meeting at 5:22 p.m.

SCOPE OF PRACTICE

Medicare Reimbursements Issue Communication Assistants

Hansmeyer received a letter from Sue Shonka regarding Medicare no longer reimbursing hospitals, nursing homes, and rehabilitation facilities for Speech, Language, or Swallowing treatments performed by Communication Assistants. Ms. Shonka is a Communication Assistant with a Bachelor's degree and 25 years of experience. Under new Medicare rules, services will only be reimbursed if performed by Speech Language Pathologists with Master's Degrees and Certificates of Clinical Competence. Because of a shortage of Speech Language Pathologists with Master's Degrees and Certificates of Clinical Competence, Ms. Shonka believes that patients will not be seen in a timely fashion. She believes that those with four-year degrees and many years of experience should be "Grandfathered" in and their services deemed Medicare eligible. Ms. Shonka mailed similar letters to Nebraska Congressional representatives.

The Board says that the Nebraska Speech-Language Hearing Association (NSLHA) would be the correct entity to have received the letter. The board cannot change the practice act, which defines the profession. The board also cannot change Medicare reimbursement. Spalding asked staff to write a letter for the board's review, which would provide Ms. Shonka with contact information to more appropriate entities. After the board's review the letter would then be sent to Ms. Shonka.

*Strong left the meeting at 5:30 p.m.
Board recessed at 5:30 p.m., and then resumed at 5:40 p.m.*

Closed Session

Busch moved, seconded by Beauchaine to go into closed session at 5:41 p.m. to review the Jurisprudence Examination. Voting aye: Spalding, Taylor, Beauchaine, and Busch. Voting nay: none. Absent and not voting: Stokebrand. Motion carried. Board Chair, Spalding, stated that the board would go into closed session to review the Jurisprudence Examination.

Out of Closed Session

Beauchaine moved, seconded by Taylor to come out of closed session at 6:25 p.m. Voting aye: Spalding, Taylor, Beauchaine, and Busch. Voting nay: none. Absent and not voting: Stokebrand. Motion carried.

PRODUCT TO ELIMINATE STUTTERING

Kenneth Stallon had asked to address the board regarding a product designed to eliminate stuttering. The item was placed on the agenda. However, he did not attend the meeting, so the topic was not addressed.

REGULATION REVIEW

Continuing Education

Per Beauchaine's suggestion, Spalding led a discussion on the benefit of licensees having the opportunity to take the Jurisprudence Exam for continuing education credit. Spalding moved, seconded by Beauchaine that the Board award one hour of continuing education under home study of Content Area Two for successful completion of the Audiologly and Speech Language Pathology Jurisprudence Examination. Successful completion is defined as a score of 100%. Upon successful completion of the exam, the applicant will receive a certificate of completion, which will include the objectives of the program. Voting aye: Spalding, Taylor, Beauchaine, Busch. Voting nay: none. Absent and not voting: Stokebrand. Motion carried.

Beauchaine will email the American Speech Language hearing Association (ASHA) website and have the webmaster post the information on the Nebraska State Information link. Staff will have the Jurisprudence Examination edits to the board within two weeks following this meeting. Staff will have a letter explaining the new continuing education opportunity to be mailed to the licensees within one month. Staff will create a certificate of completion that outlines the objectives as required by rules and regulations.

Fees (Attachment B)

Hansmeyer presented information regarding the Licensure Fee Review for 2007-2008. The worksheet provides revenue and expenditures, which results in the cost per credential (Attachment A). Due to lowered fees in the past two renewing periods, the projected ending balance for FY 2006 is a deficit of (\$4,071.42). Spalding moved, seconded by Taylor to increase the fees of all Audiology and Speech-Language Pathology license holders according to the following schedule:

Audiologist	Initial Fee	\$125
Audiologist	Renewal Fee	\$95
Communication Assistant	Initial Fee	\$30

Communication Assistant	Renewal Fee	\$25
Speech Lang-Path	Initial	\$125
Speech Lang-Path	Renewal	\$95
Temporary Audiologist	Initial	\$30
Temp Speech Lang-Path	Initial	\$30

Additional \$2 LAP fee added to all fees except for temporaries.

Voting aye: Beauchaine, Busch, Spalding, and Taylor Voting nay: none. Absent and not voting: Stokebrand. Motion carried.

*Taylor requested that any other agenda items that required a vote by the board be moved forward in the agenda because she needed to leave the meeting early. Items discussed out of order after fees section are denoted by an asterisk (*). Taylor left the meeting at 7:55 p.m., after discussing all items denoted by an asterisk (*).*

Reinstatement (Attachment C)

Hansmeyer distributed a model application to assist in developing an updated reinstatement application. Since the board is currently reviewing the regulations, this would be an appropriate time to review the application. Staff was instructed to mail a copy of this application to Stokebrand. Discussion regarding a new reinstatement application will be an agenda item at its next meeting.

Hansmeyer suggested the board review for possible modification the following section located in the Audiology and Speech-Language Pathology Rules and Regulations and said it would be an agenda item at the next board meeting: 23-008 Supervision of Communication Assistants.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

LAP Report

Hansmeyer gave the board a quarterly report on licensee usage of the Licensee Assistance Program. Hansmeyer pointed out that an article on chemical dependency is included with each quarterly report. She said these types of stories would be appropriate to include in association newsletters and are sent to associations for that purpose.

Reaffirmation of Mail Ballots

* Spalding moved, seconded by Taylor that the following individuals be reaffirmed from mail ballots:

Michelle Flores - Temp Licensure
Penelope Walker - Reinstatement
Jacquelyn Griess - Reinstatement
Maggie Wernimont - Initial Licensure
Crystal Byers - Initial Licensure

Voting aye: Busch, Spalding (Flores, Walker, Griess, Wernimont), Taylor (all), and Beauchaine (all). Voting nay: Spalding. Absent and not voting: Stokebrand.

Spalding said she would like the board to develop a Voting Guideline to ensure consistency in the voting process. Busch asked that this be made an agenda item at the next meeting.

Consumer Brochure

* Hansmeyer presented a rough draft of an informational brochure to the board, which could be distributed to hospitals, doctors' offices, and other locations for the purpose of educating the public about audiology and speech language pathology. Examples of clip art to feature on the brochure were also distributed for the board's consideration at a later date. Draft working for the audiology and speech-language pathology brochures should be available for review at the next board meeting.

Continuing Education Audit for 2006

* Taylor moved, seconded by Beauchaine to keep the audit percentage at 10% for the upcoming renewal cycle. Voting aye: Busch, Spalding, Taylor, and Beauchaine. Voting nay: none. Absent and not voting: Stokebrand. Motion carried.

2006 National Council's Annual Conference – Atlanta Georgia

* Spalding discussed the upcoming 2006 National Council's Annual Conference, which will be held in Atlanta, GA on October 12-14. Spalding and Taylor said the 2005 meeting was very beneficial. Spalding moved, seconded by Busch that the Board approve three board members and one staff member to attend the 2006 National Council of State Boards of Examiners' Annual Conference. New Board members should attend the pre-conference meeting, which is designed for new board members. Voting aye: Taylor, Beauchaine, Busch, and Spalding. Voting nay: none. Absent and not voting: Stokebrand.

MISCELLANEOUS

Spalding stated that the NSLHA committee is moving ahead with the rewrite of the practice act. They are going ahead with universal licensure.

Hansmeyer said that if you get any questions from CE providers they need to be told they need the objectives or an outline on the CE certificate.

The next board meeting is scheduled for Tuesday, September 19, at 4:p.m. There was discussion about increasing the number of meetings so that meetings can be shorter. This should be on the agenda at the next meeting so that traveling members can give their input on this issue.

ADJOURNMENT

Spalding adjourned the meeting at 8:38 p.m.

Respectfully submitted,

Kathryn Beauchaine, Secretary

Prepared by Patty Pierson